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SIPDIS

SENSITIVE  
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DRL/MLGA FOR JULIETA NOYES  
IO/RHS FOR DOUG ROHN

E.O. 12958: N/A  
TAGS: [UNHRC](#) [PHUM](#) [PREL](#) [ZI](#) [EUN](#) [SP](#)  
SUBJECT: ZIMBABWE: SPAIN WOULD SUPPORT BUT NOT LEAD IN UNHRC  
  
REF: STATE 33357

¶1. (SBU) Poloff delivered reftel demarche to MFA Sub-director General for Human Rights Fernando Fernandez-Arias on March 19. Fernandez-Arias said that Spain is appalled by the abuses in Zimbabwe and he noted that Spain has issued a strong condemnation of the abuses on March 15. (NOTE: Text of communique follows. END NOTE.) If a resolution surfaces in the UNHRC, he said Spain would definitely support it, although he underscored that Spain would not take a leadership role, as Spain is not a member of the UNHRC. Fernandez-Arias was pessimistic about such a resolution's chances for success, noting that the African group is currently the most powerful voting block in the UNHRC. The group would be hard pressed to support a resolution condemning Zimbabwe. He added that it would be worse to propose a resolution and be defeated than to have done nothing.

¶2. (SBU) Furthermore, Spain does not feel that the UNHRC should be used as a tool to address the abuse-du-jour with country specific resolutions, which it views as the downfall of the previous Human Rights Committee. The Council should be an instrument for long term analysis and action. As a non-member, Spain has practiced restraint in its interactions with the Council, but its goal remains the establishment of a "universal periodic review mechanism."

¶3. (SBU) Fernandez-Arias acknowledged that groups are already using the Council for country specific resolutions, such as the Arab group's proposal of a new resolution on the excavations at the Maghreb Gate in Jerusalem. He underscored that responsible members ought not support such practice. He said the UNHCR is increasingly being viewed as a "B-chamber" for causes that cannot gain UNSC support, such as resolutions on Israel. Spain would rather see it used for more profound investigation and long-term work on human rights.

¶4. (U) (BEGIN TEXT OF MARCH 15 COMMUNIQUE:)

The Spanish Government expresses its condemnation of the use of violence by the Government of Zimbabwe to repress, last March 11, 2007, a peaceful meeting convoked by the Council of Churches of Zimbabwe which was attended by leaders of the political opposition with parliamentary representation and members of civil society. The government also condemns the violence against detainees while they were in police custody.

The Government offers its condolences to the family of the member of the MDC opposition party killed by gunshots from the forces of public order during the repression of the Sunday meeting.

The Spanish Government demands the Zimbabwean authorities bring to a close the appropriate investigations with the greatest speed and diligence, and that the parties responsible for these actions be identified. It also demands of the Zimbabwean government that appropriate measures be taken to avoid the commission of similar actions in the future.

The Government is pleased by the fact that the opposition and civil society leaders have been released today March 14 by the judicial authorities of Zimbabwe due to the lack of charges against them. (END TEXT.)

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Aguirre